

The Salisbury Planning Board held its regular meeting on Tuesday, May 14, 2002, in the City Council Chambers of the Salisbury City Hall at 4:00 p.m. with the following being present and absent:

PRESENT: Jerry Wilkes, Sandy Reitz, Rodney Queen, Sean Reid, Fred Dula, Elaine Stiller, Lou Manning, Brian Miller, Ken Mowery, Jeff Smith

ABSENT: Eldridge Williams

STAFF: Harold Poole, Patrick Kennerly, Dan Mikkelson, Hubert Furr, Janice Hartis

The meeting was called to order by Chairman Dula. The minutes of April 23, 2002, were approved as published.

ZONING MAP AMENDMENTS

Z-7-02 Salisbury Planning Board, Park Avenue Neighborhood (Phase 1)

Location: A portion of one lot on the west side of the 500 block of East Franklin St.

Size: Approximately 36,000 square feet

Existing Zoning: R-6 Two-Family Residential

Proposed Zoning: M-1 Light Industrial

Location: Properties in the 600 block of East Cemetery between North Clay and North Boundary streets as well as the 500 block of North Boundary Street between East Cemetery and East Franklin streets

Size: Approximately 1.95 acres

Existing Zoning: M-1 Light Industrial

Proposed Zoning: R-6 Two Family Residential

Location: Properties with frontage along the north side of the 700 and 800 blocks of Park Avenue between North Boundary and Arlington streets

Size: Approximately 1.78 acres

Existing Zoning: M-1 Light Industrial

Proposed Zoning: R-6 Two Family Residential

(a) Chairman Dula convened a courtesy hearing on Z-7-02.

Those speaking in favor of the zoning change request:

Daniel Almazan, works with Alexander Construction and Henry Alexander, Inc., who owns the former Pauline Knitting property – this lot has been used for parking for years and wishes to continue using it in that manner

Those speaking in opposition to the zoning change request:

None

The chairman closed the courtesy hearing on this case.

(b) Board Discussion:

Rodney Queen moved to recommend rezoning the property as proposed. The motion was seconded by Lou Manning with all members voting AYE.

Z-8-02 Salisbury Planning Board, Wilson Road between Locke Street and Old Plank Road

Location: One lot on the east side of the 700 block of Wilson Road

Size: Approximately 24,000 square feet

Existing Zoning: R-6A Multi-Family Residential

Proposed Zoning: SFC Single Family Conservation

(a) Chairman Dula convened a courtesy hearing on Z-8-02.

Mr. Poole reported that the Salisbury Community Development Corporation had bought this property, will subdivide the lot into three 50-foot lots, and build a single family house on each lot.

Those speaking in favor of the zoning change request:

Herman Burney, 712 Grace Street – single family will provide an anchor for single home ownership for the neighborhood

Those speaking in opposition to the zoning change request:

None

The chairman closed the courtesy hearing on this case.

(b) Board Discussion:

Rodney Queen moved to recommend the rezoning as proposed. The motion was seconded by Brian Miller with all members voting AYE.

GROUP DEVELOPMENT

G-7-02 Drummond Village, 2800 block Stokes Ferry Road (Phases 1 through 5)

The Board favorably approved Rodney Queen removing himself from the Board during discussion of this case.

An application has been submitted for the construction of a residential subdivision containing 116 single family lots, 168 multi-family units, and 30 townhouse units. Phases 1, 2 and 4 are single family development, Phase 3 is for multi-family development, and Phase 5 is townhouse development. The Technical Review Committee recommends approval of the application with the following provisions: (1) Appendix D of the International Fire Code requires that the Type 3 street is one way with parking and shall have a 20' travel lane and a 7 ½' parking lane. The Type 4 street is one way with no parking and shall have a 20' travel lane; (2) Planning Board may grant relief from the standards for intersections that are less than 200 feet apart from center to center (there are four intersections in this proposal which do not meet this requirement). TRC recommends granting relief from the 200-foot separation for intersections; (3) Phase V shall have a six-cubic yard dumpster with screening. The city's ordinance requires that the townhouses are to be treated the same as the apartments which means a dumpster is

required. The developer is requesting that roll-out carts be permitted for the townhomes, the same as for single family homes, instead of requiring dumpsters.

Those speaking in favor of the site plan:

Mark Lewis, 136 Rugby Road – Read Policy N-13 from the Salisbury Vision 2020 report dealing with new neighbors. The submitted plan is a very good plan showing a lot of parks and open space with a concentric core with less and less density as it moves out from the core.

Jonathan Crowder, representing Land Design – With the last submittal, they have complied with the recommendation from TRC relative to item 1 dealing with street types and travel lanes. They have removed all Type 3 streets from the plan. The townhouse development in Phase 5 provides parallel parking spaces on the street and detached garages in the rear, with an alley running behind the townhomes. The alleys are set up to get some of the traffic off the street and to allow the street to become more of a pedestrian scale. In this type of development, you typically have the garbage pickup in the rear. The units are individually owned from the front right-of-way to the back alley. Usually, you will have the rollout garbage units which are rolled out to the back curb, which is the alley. This helps keep the garbage trucks off the main road by sending them through the alley. Has a real problem with the idea of a dumpster. This development is not designed for that type of garbage pickup. These are individually owned units and not apartments.

Eric Wood, Pilot Developers – Has worked through a lot of issues with the Technical Review Committee and has had to give in a lot to get to this point. As for the requirement of 200 feet between intersections, this is something that needs to be changed in the ordinance. In order for the development to have pocket parks and connectivity, several intersections had to be less than the required 200 feet. To meet the requirements, he would have to eliminate the pocket parks. The Vision 2020 plan states that alleys should be used in certain locations and where it is possible. The garbage containers cannot be rolled out to the front curb due to cars which will be parked on the street. Rollout containers is a service that should be provided the citizens living in the townhomes.

Those speaking in opposition to the proposed group development:

Diane Bruendl, 425 Earnhardt Road – Asked several questions concerning the multi-family units which will be located on Earnhardt Road. Also asked about buffering for the apartments because she lives directly across the street from the proposed apartments.

Nancy Alexander – Not against the development. What she hates to see is an entirely single family residential area, that can be developed as single family residential, with apartments in the middle of it. The majority of apartment dwellers do not take pride in a home that a single family residential owner would take. Most of the residents in the area object to the apartments.

Comments from staff:

Vernon Sherrill, Director of Public Services – The city tries to install commercial collection cans in areas where there will be over seven units, such as the townhomes being proposed here. The city went to curbside collection in 1992, which has saved the city approximately \$3.7 million. Alleys typically are not large enough to handle nor withstand the

weight of a 25-yard packer truck. The proposed parking on the street for the townhomes also creates a logistic problem. All garbage for the single family units will be hand collected on the curb just like the current service for single family homes elsewhere in the city. The density of the apartments (168) requires seven dumpsters; however, the city is only requiring four which will create less of an impact on that community. The 30 townhomes are built in a cluster fashion, they fall within the framework of our ordinance, and it was his decision to require a dumpster rather than rollout collection. He has to look at other areas of the city as to what has been done previously. Garbage trucks do not go into alleys because the roads do not hold up, and they are on private property. He would be willing to compromise if something could be arranged that would put him at ease about liability. If the Technical Review Committee could come up with a compromise plan, he would certainly listen to it.

Brian Miller moved to send the matter to the next committee. The motion was seconded by Lou Manning. Mr. Wood then volunteered to remove Phase 5 from consideration so that the Board could take action on Phases 1 through 4. Work on Phase 5 will not take place any time soon. If the Board could take action on Phases 1 through 4, he would go ahead and add the dumpster on the site plan and discuss this issue again at a later time. He purposely left this phase on the site plan to bring up this particular issue. The motion and second were withdrawn.

Ken Mowery moved to recommend approval of Phases 1 through 4 only, to grant relief from the intersection standards of 200 feet, and that the more restrictive of the city code or the International Fire Code prevail for the street type. The motion was seconded by Brian Miller with all members voting AYE.

Sean Reid then moved that the Legislative Committee look into the issue of TND standards. The motion was seconded by Brian Miller with all members voting AYE.

G-9-71 Salisbury Housing Authority, 200 South Boundary Street

An application has been submitted for a building addition to the existing Housing Authority administrative building. The Technical Review Committee recommends approval. On a motion by Jeff Smith, seconded by Lou Manning, with all members voting AYE, the site plan was recommended for approval.

SUBDIVISION

S-2-92 Forest Glen, Phases 3, 4 and 5

Dan Mikkelsen, City Engineer, stated that in May, 1992, the Planning Board approved, under different standards, a preliminary plat almost identical to the site plan being considered today. Planning Board preliminary plat approval lasts for two years. If the two years expire before the project is completed, reapproval must be obtained from the Planning Board. Since that approval in 1992, the city has adopted new standards which did not exist when the plan was originally approved. The Planning Board has the discretion to require any new standards to be applied when they extend the approval. New standards have been adopted in the subdivision ordinance, and the Salisbury Vision 2020 Plan has been adopted as a policy statement.

The Technical Review Committee has several recommendations relative to the implementation of the new standards. If Planning Board concurs with these recommendations, they will become required conditions of the preliminary plat approval:

(A) Sidewalks are required along the frontage of any existing thoroughfare adjacent to the subdivision. In this case the standard applies to the two outparcels along N. C. 150 in Phases 3 and 5. N.C. 150 has no curb, gutter or sidewalk in the vicinity. The frontages are relatively short and separated, and the outparcels have little relation to the subdivision. The TRC recommends that relief be granted from the sidewalk requirement along N. C. 150.

(B) The maximum distance allowed between intersections on new streets in a subdivision is 800'. One road in Phase 4 would be about 1,600' long, but the road is identical to the alignment that was previously approved, and alternate street alignments would not necessarily be practical. The TRC recommends granting relief from maximum block length and requiring a traffic calming treatment in lieu of an intersection.

(C) Sidewalks are required on both sides of all new subdivision streets. The subdivision ordinance states "new phases within or adjacent to existing developments not having sidewalks shall be subject to these sidewalk requirements." Policies SW-2 and SW-4 of Vision 2020 encourage sidewalks on both sides of streets in new developments. Two recent developments had similar situations regarding sidewalks: Phase 2 of the Reserve was required to install sidewalks on both sides of the street although Phase 1 had a sidewalk on only one side of the street, and Phase 3 of Oakview Commons was required to install sidewalks on both sides of the street although Phases 1 and 2 had no sidewalk.

(D) Policies S-4 and S-12 of Vision 2020 encourage frequent connections between a neighborhood and the adjacent thoroughfare to distribute traffic more evenly, reduce bottlenecks, and provide alternate routes of travel. The TRC recommends that Hermitage Place be extended to intersect with N. C. 150.

There are three minor requirements that must be revised on the subdivision plat before it can be signed off by the Planning Board chair. The developer can make these revisions and bring it back to the Planning Board chair for his signature. These include: clarifying the borders for Phases 4 and 5, listing street names on the preliminary plat as approved by the county, and adding a note indicating that appropriate wetlands permits must be obtained prior to the Phase 4 plat being recorded.

Comments from the audience:

Darlene Blount, 111 Ashton Lane, Managing Director of Forest Glen – The first step taken in the development of Forest Glen was contact with N.C. DOT to establish the main entrance into the new subdivision. The entrance is a broad road with one access going into the subdivision and two lanes exiting the subdivision. The designer also allowed for the necessary setback that DOT mentioned for future road widening. Phase 2 of the development provided for a walking trail which runs approximately through the middle of the subdivision. At the time of the Phase 2 submittal in 1996, no mention was made of a second entrance being needed. When they were ready to submit plans for the Phase 3 development in December 2001, the designer

had been informed by the City Engineer that a second entrance was necessary before approval of construction because of internal traffic within the subdivision. Forest Glen compares very little with in-town subdivisions because the minimum size of most of the lots in the subdivision are $\frac{3}{4}$ to over an acre in size. The lots are very spacious and in a very rural and tranquil setting. A letter from Chris Corriher, the local DOT District Engineer, dated December 6, 2001, stated there should be only one entrance for this development and did not recommend allowing another access north of Forest Drive. An on-site meeting involving Mr. Corriher and two DOT representatives from Winston-Salem was held this past week. All three agreed that the present entrance is still the best possible location for Forest Glen and advised against any other driveway onto N. C. 150. The city's recommended second entrance is approximately 800 feet from a traffic light intersection (Sherrill's Ford Road/Rowan Mill Road and N. C. 150). That is too close by normal standards for DOT to permit another driveway. In a meeting with the City Engineer to discuss internal traffic problems, they were told a traffic study was needed. Kimley-Horne was hired to do the report. Their report showed little impact from Forest Glen traffic on N. C. 150, even at buildout, regardless of whenever that buildout will occur.

Mark McDonald, Kimley-Horne and Associates, Greensboro – When the subdivision is completely finished, there will be approximately 1,700 to 1,800 trips a day from the subdivision. Most of the traffic will turn right towards Salisbury. This equates to about 10 trips per home per day. The potential traffic increase on N. C. 150 will affect the ability to move in and out of Forest Glen, not the traffic within the subdivision itself. The delays that may occur turning left out of Forest Glen going towards Mooresville are the result of increasing volumes on N. C. 150. His evaluation indicates no second access is needed. A second entrance 800 feet from Rowan Mill Road may, at some point, affect the operation of that intersection. The location for the proposed second entrance has very limited road frontage and makes it much more difficult to provide for the construction of turn lanes at that area, should they ever be required.

John Hanford, one of the owners of Forest Glen – Any future highway traffic problems would have to be responded to by one of three options: (1) The general widening of Highway 150 to four or five lanes from the present ending point at Grants Creek. This project is already on the Transportation Improvement Program priority list. This option would solve all the problems. (2) The construction of an extra left-turn and right-turn lane widening of Highway 150. (3) A second entrance to Forest Glen which would be the least effective in controlling traffic of the three. He strongly recommends that Plan 1 be followed. If the highway widening does not take place by the appropriate time, then Plan 2 should be applied. He recommends that Plan 3 (the second entrance) be ruled out entirely for the following reasons: ?DOT specified exactly where on Highway 150 the entrance should be located and at what depth from the highway in order to accommodate either the future widening of the entire highway or for the widening of the highway to install the left-turn and right-turn lanes. ?DOT has advised against a second entrance, and particularly at the location recommended by the City Engineer. ?No mention has ever before been made of a second entrance by the City of Salisbury or by the N.C. DOT in approving Phases 1 and 2 of the master plan. ?No mention has been made by the City of Salisbury to grandfather in Phases 3 and 4 per that same master plan. ?Kimley-Horne's traffic analysis says that Forest Glen does not need a second entrance throughout the time of its entire buildout. ?The Forest Glen master plan, with the single entrance, was a tacit term of sale to all homeowners to date. ?The developer has provided an emergency entrance and exit, without the

second entrance, across the 30-foot wide sewer easement. ?The location indicated for the second entrance would be quite awkward with a long driveway or alleyway of 800 to 900 feet. It would be quite narrow and very unattractive compared with the present entrance to Forest Glen. It would be overused because it would be closer to Salisbury than the present entrance. ?A new entrance would require an unfavorable configuration of streets and lots. ?The location of the second entrance is too close to a major intersection and traffic light at Rowan Mill Road/Sherrill's Ford Road and N. C. 150—all major arteries for Food Lion trucks and automobile traffic. ?The anticipated increase in traffic by 2017 on N. C. 150 is not Forest Glen traffic and is not Forest Glen's responsibility nor burden to create a second entrance. It is the responsibility of the state of North Carolina, and N. C. DOT has acknowledged that responsibility by putting the widening of N. C. 150 on its TIP priority list. If the widening doesn't get done in time, then Forest Glen will step forward and build, at their expense, the left-turn and right-turn lane widening as they are legally required to do and thus solve the problem. He is also asking that Forest Glen be allowed to continue their sidewalk plan and pattern from Phases 1 and 2 to apply to Phase 3. Four-foot sidewalks have been installed on one side of every street. A new walking greenway trail is available to all homeowners. Sidewalks on one side of the street has proven to be adequate because they have a low density of population, with no commercial, no apartments, no condominiums and with large lots and light traffic. The sidewalks are used very sparingly but are regarded as essential to the community.

Dave Collins, 109 Ashton Lane – objects to second entrance, primarily because of the security aspect. Traffic has not been a problem in the seven years he has lived there and doesn't perceive it to be one.

Board Discussion:

Rodney Queen – Agrees with granting relief for issues A and B dealing with the sidewalk requirements on N. C. 150 and maximum distance between intersections. If you look at the traffic situation as a whole, he favors a left-turn lane on N.C. 150 rather than requiring a second entrance into the development. One car trying to make a left turn can block traffic all the way to Sherrill's Ford Road. A strong argument can be made with the walking trail and the sidewalk on one side. Totally in favor of sidewalks on both sides of the street as set out in the ordinance. If the Board doesn't require it for this project, they will be setting a precedent that will plague the Technical Review Committee, the Planning Board, and any developments in the future.

Sean Reid – The Salisbury Vision 2020 Plan calls for connectivity. Do we go with what is practical or do you set a precedent of making every developer stay with our guidelines. After hearing comments concerning the second entrance, it makes quality sense as far as traffic counts to not require the second entrance. This subdivision, due to its large lots, will have a lot less density than usual. We need to be consistent when it comes to sidewalks, and agrees that sidewalks need to be required on both sides of the streets.

Brian Miller moved to approve granting relief as recommended in issues A and B stated above. The motion was seconded by Jerry Wilkes with all members voting AYE.

Brian Miller – We have an existing subdivision which was developed according to standards in place at the time. Sidewalks on one side of the street fits this development, even

though it does not meet today's standards. We should focus attention on street sidewalks on new developments as they come in as opposed to going back to developments that have already been established and approved, even though they might have been approved before the current standards.

Jeff Smith – Sidewalks on both sides of the streets is something the Board has fought for, and the Board has set a precedent in the past with other subdivisions in a similar situation. A great argument has been made against the second entrance—one being the security issue and the second being the beautiful entrance and not wanting to take anything from that entrance. However, he does not see that the proposed second entrance would become a second main entrance. Suggested a minor road which could be used as an exit for right-turns only and not used as an entrance.

Ken Mowery – We have already set a precedent by requiring sidewalks on both sides of the street for previously approved plans for the Reserve and Oakview Commons. This requirement was put in the ordinance for a reason and we need to uphold it. Doesn't see how the second entrance would help N. C. 150. It doesn't make a lot of sense to put it in. However, would like to see some type of smaller, emergency entrance/exit into the neighborhood.

Sean Reid moved to deny granting relief to the sidewalks requirement on both sides of the streets (issue C). The motion was seconded by Rodney Queen with Manning, Stiller, Smith, Reid, Mowery, Queen, Reitz voting AYE and Miller, Wilkes and Dula voting NAY. The motion carried.

Rodney Queen moved to send the second entrance issue (issue D) to a committee. The motion was seconded by Sandy Reitz with all members voting AYE except Sean Reid who voted NAY. The motion carried. Chairman Dula assigned this matter to Committee 2 (Smith, Queen, Reid, Wilkes).

COMMITTEE REPORT

Wilson Road Study Committee, Phase 2 – Rodney Queen gave a status report. Further rezonings in the area will be forthcoming in order to clean up zoning lines that do not follow property lines and to rezone school properties to B-1 from R-6 which would be consistent with zoning that we typically have for schools.

Remaining committee reports were deferred until the next meeting.

There being no further business to come before the Board, the meeting was adjourned.

Secretary

Chairman